MINUTES LAKE COUNTY PLANNING AND ZONING BOARD January 6, 2016

The Lake County Planning and Zoning Board met on Wednesday, January 6, 2016 in County Commission Chambers on the second floor of the Lake County Administration Building to consider petitions for rezoning requests.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners (BCC) for their public hearing to be held on Tuesday, January 19, 2016 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

| Debbie Stivender | School Board Representative |
|-------------------------------|-----------------------------|
| Kathryn McKeeby, Secretary | District 1 |
| Laura Jones Smith | District 2 |
| Timothy Morris, Vice Chairman | District 3 |
| Rick Gonzalez | District 4 |

Members Not Present:

| Paul Bryan, Chairman | District 5 |
|----------------------|--------------------------------|
| Donald Heaton | Ex-Officio Non-Voting Military |
| Michael Mazzeo | At-Large Representative |

Staff Present:

Chris Schmidt, Manager, Planning & Community Design Division Steve Greene, AICP, Chief Planner, Planning & Zoning Division Tim McClendon, Chief Planner, Division of Planning & Zoning Donna Bohrer, Office Associate, Planning & Zoning Division Erin Hartigan, Assistant County Attorney Susan Boyajan, Deputy Clerk, Board Support William White, Engineer IV, Public Works Fred Schneider, County Engineer, Public Works

Vice Chairman Timothy Morris called the meeting to order at 9:00 a.m. and noted that a quorum was present and that the meeting had been duly advertised. He led the Pledge of Allegiance, and Debbie Stivender gave the invocation. He asked if anyone wanted to make a public comment on something that was not pertaining to any of the zoning cases on the agenda, but no one wished to speak at that time.

TABLE OF CONTENTS

Agenda Updates

Consideration of Minutes November 25, 2015

CONSENT AGENDA

TAB NO:

CASE NO:

OWNER/APPLICANT/PROJECT

Tab 1

RZ-15-27-1

Sunrise Lake PUD/TAM Development

Tab 2

CUP#512-2/512A-3

Hightower Cleveland, Trustee

CUP Revocation

Other Business

Adjournment

AGENDA UPDATES

Mr. Morris noted that there was nothing on the Regular Agenda and that all of the cases were currently on the Consent Agenda. He asked if anything has been moved to the Regular Agenda.

Mr. Steve Greene, Chief Planner, Planning and Zoning Division, Economic Growth Department, reported that although everything will be on the Consent Agenda, there was a memorandum provided to the board last night regarding some new conditions. He added, however, that the applicant was in agreement with those conditions from Public Works, and staff recommends that the item remain on the Consent Agenda.

MINUTES

MOTION by Debbie Stivender, SECONDED by Kathy McKeeby to APPROVE the Minutes of November 25, 2015 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR:

Stivender, McKeeby, Morris, Gonzalez, Smith

AGAINST:

None

MOTION CARRIED:

5-0

CONSENT AGENDA

TAB NO:

CASE NO:

OWNER/APPLICANT/PROJECT

Tab 1

RZ-15-27-1

Sunrise Lake PUD/TAM Development

Tab 2

CUP#512-2/512A-3

Hightower Cleveland, Trustee

CUP Revocation

MOTION by Rick Gonzalez, SECONDED by Debbie Stivender to APPROVE the Consent Agenda which includes Tabs 1 and 2, including the revised transportation conditions set previously by the County's Planning staff.

FOR:

Stivender, McKeeby, Morris, Gonzalez, Smith

AGAINST:

None

MOTION CARRIED:

5-0

OTHER BUSINESS

ELECTION OF OFFICERS

MOTION by Debbie Stivender, SECONDED by Kathryn McKeeby, to elect Paul Bryan as Chairman.

FOR:

Stivender, McKeeby, Morris, Gonzalez, Smith

AGAINST:

None

MOTION CARRIED:

5-0

MOTION by Debbie Stivender, SECONDED by Kathryn S. McKeeby to elect Tim Morris as Vice Chairman.

FOR:

Stivender, McKeeby, Morris, Gonzalez, Smith

AGAINST:

None

MOTION CARRIED:

5-0

MOTION by Tim Morris, SECONDED by Rick Gonzalez to elect Kathryn McKeeby as Secretary.

FOR:

Stivender, McKeeby, Morris, Gonzalez, Smith

AGAINST:

None

MOTION CARRIED:

5-0

SUNSHINE LAW REVIEW

Ms. Erin Hartigan, Assistant County Attorney, recapped that the Florida Constitution and Statutes contain the Sunshine Law, which requires that meetings or official acts of a public board or commission where official and binding acts are taken have to be public meetings or open to the public at all times. She elaborated that the Sunshine Law basically provides the public the right of access to governmental proceedings and protects the public from closeddoor decision making. She related that there are three basic requirements for a meeting to be validly held in the sunshine including reasonable notice, making them open to the public, and access to minutes which are taken and made promptly available which will be a summary of the meeting and at a minimum a record of the votes rather than relying on the sound recordings made of those meetings. She reported that the Sunshine Law also prohibits any private meeting or communication between two or more members of the board in which matters or foreseeable action could be taken by the board or discussed. She went over the penalties set out in the Statutes for violations of the Sunshine Law, including a fine not exceeding \$500 for an unknowing offense or a second degree misdemeanor infraction allowing a term of imprisonment not to exceed 60 days or a fine of up to \$500 for a knowing offense. She went over a few examples of violations which have occurred in other areas of Florida, and she pointed out that there was also a provision for attorney's fees for violations of the Sunshine Law.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Susan Boyajan

Clerk, Board Support

Tim Morris

Vice Chairman